

DAVID L. ANDERSON (CABN 149604)
United States Attorney

HALLIE HOFFMAN (CABN 210020)
Criminal, Division Chief

ANDREW M. SCOBLE (CABN 124940)
ASEEM PADUKONE (CABN 298812)
RAVI T. NARAYAN (IABN AT0011948)
Assistant United States Attorneys

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102-3495
Telephone: (415) 436-7249/6401/7369
Fax: (415) 436-7234
Email: andrew.scoble@usdoj.gov
Email: aseem.padukone@usdoj.gov
Email: ravi.narayan@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	NO. CR 19-0280 RS
)	
Plaintiff,)	STIPULATION TO EXCLUDE TIME FROM
)	NOVEMBER 17, 2020 THROUGH JANUARY 26,
v.)	2021 AND ORDER
)	
ROGELIO BELLOSO ALEMAN, et al.,)	
)	
Defendants.)	
)	

It is hereby stipulated by and between counsel for the United States and counsel for all defendants that time be excluded under the Speedy Trial Act from November 17, 2020 through January 26, 2021.

The parties appeared before the district court for a status conference on November 17, 2020. This was the third district court appearance before this Court in which all of the defendants' counsel or their representatives appeared. Due to the ongoing public health emergency and the corresponding rules and procedures set forth in General Orders 72, 73, and 74, the hearing was conducted by Zoom videoconference without the defendants present. At the hearing, the government reported that its latest

1 productions included body-worn camera footage and additional investigative reports. The government
 2 reported that it intended to develop a system to identify pertinent materials to aid defense counsel due to
 3 the voluminous discovery produced in this case. This included producing cell phone extraction forensic
 4 reports on a rolling basis as well as jail call summaries that it possessed. The parties reported that they
 5 were scheduled to appear before Judge Hixson for a discovery status conference on December 10. At
 6 the end of the hearing, the Court set the matter for further status on January 26, 2021, at 10:00 a.m. via
 7 Zoom.

8 Because the discovery process is ongoing, the government and counsel for the defendants agree
 9 that time should be excluded under the Speedy Trial Act so that defense counsel may prepare, including
 10 by reviewing discovery and making arrangements to consult with their clients. 18 U.S.C.
 11 § 3161(h)(7)(B)(iv). The parties further agree that this case is so complex, due to the number of
 12 defendants and the nature of the prosecution, that it is unreasonable to expect adequate preparation for
 13 pretrial proceedings and for the trial itself within the otherwise-applicable time limits, within the
 14 meaning of 18 U.S.C. § 3161(h)(7)(B)(ii). For these reasons and as further stated on the record during
 15 court appearances, the parties stipulate and agree that excluding time should be excluded under the
 16 Speedy Trial Act through January 26, 2021.

17 The undersigned Assistant United States Attorneys certify that they have obtained approval from
 18 counsel for the defendants to file this stipulation and proposed order.

19 IT IS SO STIPULATED.

20 DATED: December 9, 2020

/s/
 ANDREW M. SCOBLE
 ASEEM PADUKONE
 RAVI T. NARAYAN
 Assistant United States Attorneys

23 DATED: December 9, 2020

/s/
 GEORGE BOISSEAU
 Counsel for Rogelio Belloso Aleman

25 DATED: December 9, 2020

/s/
 PETER ARIAN
 Counsel for Edwin Alvarado Amaya

27 DATED: December 9, 2020

/s/
 ERICK GUZMAN
 Counsel for Fernando Romero Bonilla

28 STIPULATION TO EXCLUDE TIME AND [PROPOSED] ORDER
 Case No. CR 19-0280 RS

v. 7/10/2018

1 DATED: December 9, 2020

/s/
KENNETH WINE
Counsel for Kenneth Campos

3 DATED: December 9, 2020

/s/
BRIAN BERSON
Counsel for Evert Galdamez Cisneros

5 DATED: December 9, 2020

/s/
JEFFREY BORNSTEIN, CAROLINE JACKSON
Counsel for Luis Velis Diaz

7 DATED: December 9, 2020

/s/
ALAN DRESSLER
Counsel for Ronaldy Dominguez

9 DATED: December 9, 2020

/s/
SHAFFY MOEEL
Counsel for Oscar Espinal

11 DATED: December 9, 2020

/s/
NAOMI CHUNG
Counsel for Wilfredo Iraheta Landaverde

13 DATED: December 9, 2020

/s/
ROBERT WAGGENER
Counsel for Kevin Reyes Melendez

15 DATED: December 9, 2020

/s/
K. ALEXANDRA MCCLURE
Counsel for Missael Mendoza

17 DATED: December 9, 2020

/s/
JOANNA SHERIDAN
Counsel for Christian Quintanilla

19 DATED: December 9, 2020

/s/
MARTIN SABELLI, RICHARD HULLINGER
Counsel for Elmer Rodriguez

21 DATED: December 9, 2020

/s/
CHARLES WOODSON
Counsel for Marvin Osegueda Saravia

23 DATED: December 9, 2020

/s/
MARK VERMEULEN
Counsel for Kevin Ramirez Valencia

25 DATED: December 9, 2020

/s/
GREGOR GUY-SMITH
Counsel for Alexis Cruz Zepeda

27 DATED: December 9, 2020

/s/
DENA YOUNG
Counsel for Kevin Guatemala Zepeda

28 STIPULATION TO EXCLUDE TIME AND [PROPOSED] ORDER
Case No. CR 19-0280 RS

v. 7/10/2018

ORDER

Based upon the facts set forth in the stipulation of the parties and for good cause shown, the Court finds that failing to exclude the time from November 17, 2020 through January 26, 2021 would unreasonably deny defense counsel and the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that this case is so complex, due to the number of defendants and the nature of the prosecution, that it is unreasonable to expect adequate preparation for pretrial proceedings and for the trial itself within the otherwise-applicable time limits, within the meaning of 18 U.S.C. § 3161(h)(7)(B)(ii).

The Court concludes that the ends of justice served by excluding the time from November 17, 2020 through January 26, 2021 from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial. Therefore, and with the consent of the parties, IT IS HEREBY ORDERED that the time from November 17, 2020 through January 26, 2021 shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

IT IS SO ORDERED.

DATED: December 9, 2020


HON. RICHARD SEEBORG
United States District Judge